

A public hearing and the regular meeting of the Farr West Planning Commission was held on Thursday, March 12, 2015 at 7:00 p.m. at the City Hall. Commission members present were John Stewart, Ken Phippen, Bonnie Beal, Milt Austin and Bruce Allen. Joe Markland, Ted Black and Phil Owen were excused. City Council members present were Ava Painter, Paul Dinsdale and Boyd Ferrin. Staff present was Lindsay Afuvai. Visitors present: see attached list.

Chairman John Stewart called the meeting to order. John Stewart led in the Pledge of Allegiance. Bruce Allen offered a prayer.

Public Hearing as Advertised – Discuss and/or act upon the intent of the legislative body to consider the request of a conditional use permit for Questar Gas Company regulator station located at 3178 North Pelican Drive

Doug Rogers was present seeking a conditional use permit for Questar Gas Company regulator station. Mr. Rogers commented the need for a regulator station due to the growth in this region. Regulator will help to stabilize the pressure. Feel this location is ideal because of the high pressure gas line and because the property owner has agreed to let them use some of their property. Lou Best asked how the easement will work on site. Mr. Rogers stated there will be a twenty-foot easement back to the site that the property will continue to own and maintain. Mr. Rogers stated they hope to have the station separated off from the owner's parcel. Lou asked if the station will be fenced. Mr. Rogers commented it will have six-foot concrete panels. John Stewart stated there was a question on the legality of the zoning and the lot size. John commented he discussed this site with Ryan Shaw and felt the best way to proceed because the lot will now be 500 short of the required zone, to have it on record as legal, non-conforming.

#1 – Motion – close Public Hearing and Proceed with Regular Meeting

KEN PHIPPEN MOTIONED TO CLOSE THE PUBLIC HEARING AND PROCEED WITH THE REGULAR MEETING. MILT AUSTIN SECONDED THE MOTION, ALL VOTING AYE.

#2 – Public Comments

There were no public comments.

#3 – Follow-up and Approval of Minutes dated February 12, 2015

BRUCE ALLEN MOTIONED TO APPROVE THE MINUTES DATED FEBRUARY 12, 2015. KEN PHIPPEN SECONDED THE MOTION, ALL VOTING AYE.

#4 – Report from City Council

Ava Painter was present to report the City Council held a pre-budget work session then presented the Mayor's Make a Difference award to Brian L. Taylor. The council then had a vote by mail presentation from the Weber County Elections Director and approved business licenses for

Benjamin Hale, DMD, Invictus Designs and Property Source Utah, Inc. The council then approved the purchase of fill dirt for the Smith family park, reported on assignments and adjourned.

#5 – Motion – Recommend approval of a conditional use permit for Questar Gas Company regulator station located at 3178 North Pelican Drive – Doug Rogers

John Stewart commented the engineer has only reviewed half of the site plan and informed Mr. Rogers that review would need to be completed in order for the site plan to be approved.

KEN PHIPPEN MOTIONED TO RECOMMEND APPROVAL OF A CONDITIONAL USE PERMIT FOR QUESTAR GAS COMPANY REGULATOR STATION LOCATED AT 3178 PELICAN DRIVE WITH THE CONDITIONS THAT THE ZONING ISSUES ARE TAKEN CARE, THE RECOMMENDATIONS FROM JONES AND ASSOCIATES BE COMPLETED AND SITE PLAN APPROVAL BE GIVEN FROM THE PLANNING COMMISSION. BONNIE BEAL SECONDED THE MOTION, ALL VOTING AYE.

#6 – Motion – recommend approval of a conditional use permit for a construction office and RV storage for B & K Fox Contractors located at 1957 North 2000 West – Bill Fox

Ken Phippen read a letter from Lana Wall, Elaine Jensen and Della Russell stating their concerns. John Stewart stated a public hearing was held on this proposal. John then went over the requirements in the code for conditional use permits. A letter was then read from Julie Mathews regarding conditions she would like to see imposed on this site, including landscaping and fencing restrictions. Elaine Jensen commented she owns the two homes to the north of this property. Ms. Jensen then went over concerns she has with the proposed site, quoting Weber County codes. Bill Fox stated Ms. Jensen was quoting Weber County codes and not Farr West City codes. Mr. Fox then commented all he has done to the site is clean it up. Mr. Fox then commented he would like to know of anything on his site plan that is not in accordance with the city code. Ken Phippen read from the application and goals from the general plan. Ken then stated that if the council approves this permit, he would like to see a decorative wall added to the site plan as opposed to the chain-link fencing because he believes this location is completely surrounded by residential areas. Mr. Fox commented a cost of a concrete wall is astronomical. Bill stated he will agree to a vinyl fence which is more than the code requires. Ken commented it says decorative wall or fence and he is picking the wall to be enforced. Ken then stated he would like to see additional landscaping for a noise buffer, which is allowed by the code and general plan. Ken commented the third conditional would be only allowing RV parking in the areas designated for RV parking. Lou Best asked about the definition of a decorative wall, commenting it does not specify that it must be concrete. Ken commented that he is reluctant to recommend approval of this site plan, but as a Planning Commission member feels it is his responsibility

KEN PHIPPEN MOTIONED TO RECOMMEND APPROVAL OF A CONDITIONAL USE PERMIT FOR A CONSTRUCTION OFFICE AND RV STORAGE FOR B & K FOX CONTRACTORS LOCATED AT 1957 NORTH 2000 WEST WITH THE CONDITIONS THAT A DECORATIVE WALL BE REQUIRED ALONG ALL RESIDENTIAL ZONING, THAT ADDITIONAL LANDSCAPING BE REQUIRED AND THAT RV PARKING MUST BE CONTAINED IN THE DESIGNATED AREA FOR RV PARKING. BONNIE BEAL SECONDED THE MOTION. MILT AUSTIN, BRUCE ALLEN AND BONNIE BEAL VOTED AYE. KEN PHIPPEN VOTED NAY.

#7 – Motion – Site Plan Approval of B & K Fox Contractors construction office and RV Storage located at 1957 North 2000 West – Bill Fox

Bill Fox was present seeking site plan approval of his construction office and RV storage. John Stewart commented he felt the Planning Commission could mitigate some of the concerns with the site plan that would be beneficial to both Mr. Fox and the concerned residents.

KEN PHIPPEN MOTIONED TO TABLE SITE PLAN APPROVAL OF B & K FOX CONTRACTORS CONSTRUCTION OFFICE AND RV STORAGE LOCATED AT 1957 NORTH 2000 WEST UNTIL THE CITY COUNCIL HAS VOTED ON THE CONDITIONAL USE PERMIT. BONNIE BEAL SECONDED THE MOTION, ALL VOTING AYE.

#8 – Motion – Set a public hearing for April 9, 2015 to consider the request of a re-zone of a portion of the property located at 1990 North 2000 West, parcel number 19-040-0054, from the R-1-15 zone to the C-2 commercial zone

Derrick Oman was present seeking a re-zone of a portion of his property located at 1990 North 2000 West. John Stewart asked about the legal description, if it was the description of the entire lot or just the portion he wants re-zoned. Mr. Oman commented it is only the re-zoned portion.

BRUCE ALLEN MOTIONED TO SET A PUBLIC HEARING FOR APRIL 9, 2015 TO CONSIDER THE REQUEST OF A RE-ZONE OF A PORTION OF THE PROPERTY LOCATED AT 1990 NORTH 2000 WEST, PARCEL NUMBER 19-040-0054, FROM THE R-1-15 ZONE TO THE C-2 COMMERCIAL ZONE. MILT AUSTIN SECONDED THE MOTION, ALL VOTING AYE.

#9 – Motion – Set a public hearing for April 9, 2015 to consider the request of a conditional use permit for a storage warehouse for Derrick Oman located at 1990 North 2000 West

Derrick Oman was present seeking approval of a conditional use permit for a storage warehouse.

KEN PHIPPEN MOTIONED TO SET A PUBLIC HEARING FOR APRIL 9, 2015 TO CONSIDER THE REQUEST OF A CONDITIONAL USE PERMIT FOR A STORAGE

**WAREHOUSE FOR DERRICK OMAN LOCATED AT 1990 NORTH 2000 WEST.
BONNIE BEAL SECONDED THE MOTION, ALL VOTING AYE.**

#10 – Motion – Site plan approval of Aspen Paving Inc. located at 1406 North 2000 West – Bart Larose

Bart Larose was present seeking site plan approval of Aspen Paving Inc. located at 1406 North 2000 West. John Stewart stated the engineer has reviewed this plan. Ken Phippen asked about changing out the fence on the north. Mr. Larose commented they will put a chain link fence, but commented he will work with the neighbor to the north. Bonnie Beal asked if the detention pond will tie into the drainage ditch in the back. Mr. Larose commented it will.

KEN PHIPPEN MOTIONED TO GRANT SITE PLAN APPROVAL OF ASPEN PAVING INC. LOCATED AT 1406 NORTH 2000 WEST. MILT AUSTIN SECONDED THE MOTION, ALL VOTING AYE.

#11 – Motion – Final approval of Farr West Meadows phase 5 located at approximately 2800 North 2500 West

Eric Stevenson was present seeking final approval of Farr West Meadows Phase 5. John commented the engineer's are recommending approval. Ken Phippen asked about the easement to city property. Eric Stevenson commented the easement is on the plat between lots 129 and 130. Ken commented the easement is currently in the city name and needs to be deeded back to the developer.

BRUCE ALLEN MOTIONED TO GRANT FINAL APPROVAL OF FARR WEST MEADOWS PHASE 5 LOCATED AT APPROXIMATELY 2800 NORTH 2500 WEST CONTINGENT THAT THE CITY OWNED ACCESS BE DEEDED BACK TO MR. STEVENSON. KEN PHIPPEN SECONDED THE MOTION, ALL VOTING AYE.

#12 – Motion – Final Approval of Remuda Court Phases 1 & 2 – Cody Rhees

Cody Rhees was present seeking final approval of Remuda Court phases 1 & 2. John Stewart commented that because of the March 5, 2015 letter from Jones and Associates and the things that still need to be completed, it is understood that Mr. Rhees is not ready for final approval. Mr. Rhees commented that Dean Ayala has found new things that need attention and they will be worked on soon. Cody also commented a new set of plans on the lift station will be submitted to the engineer next and appreciates the better cooperation he is receiving from Mr. Ayala in the last week or so. There was then some discussion on the ditch to the north and the property lines. Ken Phippen then asked about the forty foot easement on a number of the lots. Ken asked about the possibility of having this canal easement be used as part of the trail system in the city. Lou Best stated he has concerns with the precedent this sets on basically allowing smaller lots. John Stewart commented the cost to pipe the ditch would be very expensive. Cody Rhees asked that

the Planning Commission approve these phases with the conditions that the minor corrections be completed. John Stewart commented he did not feel it would be in the best interest of the Planning Commission to approve this without recommendation from the engineer. Ken Phippen stated he understands the situation Mr. Rhees is in, knowing that he needs to get going on the project and felt some things could be addressed when the improvements are being installed.

BONNIE BEAL MOTIONED TO TABLE APPROVAL OF REMUDA COURT PHASES 1 AND 2 UNTIL THE LIFT STATION AND OTHER ISSUES LISTED ON THE MARCH 5, 2015 JONES AND ASSOCIATES MEMO ARE RESOLVED. BRUCE ALLEN SECONDED THE MOTION, ALL VOTING AYE.

#13 – Discussion – Wisco, Inc. – Cory Wilkes

Cory Wilkes stated he felt he has done a poor job communicating the progress that has been made on the site and would like to petition the Planning Commission reinstate his site plan so he can continue doing business. Mr. Wilkes commented he has put in over \$200,000 in improvements on the site. Mr. Wilkes stated he overestimated his business flow and underestimated the cost of putting in the site plan. Mr. Wilkes commented that because of the extra expenses in getting the site going, he has run out of money before he has been able to finish the asphalt on the site. Mr. Wilkes stated his goal is to better communicate with the City and does not understand why the city will not consider giving him more time. Cory then commented that if the city continues to keep him out of business, where does that leave everyone and what will the site look like if he is never given the opportunity to finish it. Mr. Wilkes then commented that the fence through the property has not been put in because of the wishes of his father in law, Mr. Malan. Mr. Wilkes asked that he be allowed to continue to operate and revisit the site until at least November of this year. Ava Painter asked what the repercussions will be with UDOT if he does not make the June deadline. Mr. Wilkes stated he does not know. Ava encouraged him to go back with UDOT and address that issue because he has already said he will not make that deadline. Ken Phippen stated we are tied to the site plan that was presented and approved and that variances cannot be given from the Planning Commission. Ken Phippen then stated one thing he can do is submit request of a different site plan that he can be compliant with. Lou Best then commented that if you separate the issues of the asphalt and the fence, stating that the he understands the lack of funds to prevent him from putting in the asphalt but asked what is stopping him from making improvements with the fence. John Stewart stated he would like to see Mr. Wilkes go to UDOT and see what they say about giving him another site plan. John then stated he will visit the site with Sean and the engineer and come back to the work session with an outline what is left uncompleted and what progress has been made on the site plan.

#14 – Motion – Set a public hearing for April 9, 2015 to consider changes to the zoning ordinance on accessory buildings

John Stewart commented there is a moratorium on accessory buildings because of recent concerns on buildings. Ken Phippen then went over the proposed changes to the ordinance. Paul Dinsdale stated he would like to see the maximum height listed at twenty feet in the R-1-15 zone, but thought taller buildings could be allowed in zones with larger lots.

KEN PHIPPEN MOTIONED TO SET A PUBLIC HEARING FOR APRIL 9, 2015 TO CONSIDER CHANGES TO THE ZONING ORDINANCE ON ACCESSORY BUILDINGS. MILT AUSTIN SECONDED THE MOTION, ALL VOTING AYE.

#15 – Motion – Set a public hearing for April 9, 2015 to consider changes to the conditional use ordinance

John Stewart commented this change will include a notification requirement.

BONNIE BEAL MOTIONED TO SET A PUBLIC HEARING FOR APRIL 9, 2015 TO CONSIDER CHANGES TO THE CONDITIONAL USE ORDINANCE. KEN PHIPPEN SECONDED THE MOTION, ALL VOTING AYE.

#16 – Motion – Approval of General Plan

BONNIE BEAL MOTIONED TO RECOMMEND APPROVAL OF THE UPDATED GENERAL PLAN. KEN PHIPPEN SECONDED THE MOTION, ALL VOTING AYE.

#17 – Discussion/Action – Recommendation of changes to animal ordinance

John Stewart commented this change will reference the existing definition of household pets in the zoning ordinance. Ken Phippen asked about changing it around and having the reference go to the animal ordinance where it would make more sense.

BONNIE BEAL MOTIONED TO RECOMMEND APPROVAL OF CHANGES TO THE ANIMAL ORDINANCE. BRUCE ALLEN SECONDED THE MOTION, ALL VOTING AYE.

#18 – Report on Assignments

Bruce Allen reported he is working on the road plan.

Bonnie Beal reported she will start working on the fence ordinance now that the general plan is completed.

Ken Phippen commented he has been working on the accessory building ordinance and will start a study group on the broadband strategic plan and invited anyone interested to join.

John Stewart reported he and Ava are working on the Capitol Improvement plans. John then reported they met on the Hales subdivision and feels they have come to a good solution on the detention basin.

#19 – Adjournment

AT 9:14 P.M., BRUCE ALLEN MOTIONED TO ADJURN THE MEETING. MILT AUSTIN SECONDED THE MOTION, ALL VOTING AYE.

Lindsay Afuvai, Recorder

John Stewart, Chairman

Date approved: _____

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